

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF MISSOURI**

In re: Case No. 22-60684  
Daniel T. Ramsdell, (Jointly Administered)  
Chapter 11

Debtor.

In re: Case No. 22-60685  
Ramsdell Law Firm, LLC, (Jointly Administered)  
Chapter 11

Debtor.

**RESPONSE IN OPPOSITON TO MOTION FOR APPOINTMENT OF DAVID E.  
SCHROEDER AS ATTORNEY FOR DEBTOR IN POSSESSION**

Edward Hershewe, Alison Hershewe and The Hershewe Law Firm, P.C. (referred to collectively as the “Hershewe Creditors”) are all scheduled creditors of Daniel T. Ramsdell (“Ramsdell”) and the Ramsdell Law Firm, LLC (“RLF” and referred to collectively with Ramsdell as “Debtors”). The Hershewe Claimants file herewith their opposition to the Motions filed by David E. Schroeder (“Schroeder”) for appointment as attorney for the Debtor in Possession [ECF #23 in Ramsdell; #18 in RLF] (collectively “Motions”). For their opposition, Hershewe Creditors hereby adopt by reference the arguments made by Series V-Virage Master, LP (“Virage”) in its own Response in Opposition filed January 26, 2023 [ECF #43]. However, some additional comments are necessary.

In the Motions, Schroeder noted that he “did provide services to the Debtor in intervening in past and present collection actions taken against it and Debtor’s sole member and affiliates of Debtor’s sole member . . . .” See Declaration of David E. Schroeder attached to Motions at para. 4. However, this disclosure is insufficient in that it does not address the involvement that Schroeder has had with the Debtors and their affiliates. As argued by Virage, Schroeder must

disclose all prepetition retainer agreements with Debtors and any specific affiliates and provide sufficient detail to evaluate the services provided, such as billing reports. The Missouri Casenet header for the Greene County case of The Hershewe Law Firm, P.C. et al v. Daniel T. Ramsdell, et al, No. 1931-CC00067, Greene County, Missouri Circuit Court (the “Hershewe Lawsuit”) showing the counsel of record in the case in which Schroeder represented Debtors is attached hereto as Exhibit A. It shows that in addition to the Debtors Schroeder represented Debtor affiliates Association of Plaintiff Interstate Trucking Lawyers of America (“APITLA”) and The Lawyers Logbook, LLC (the “Logbook”). A copy of Schroeder’s Entry of Appearance for each is attached hereto as Exhibit B.

In its Opposition, Virage points to the July 21, 2020 transfer of real estate from Danwin Properties, LLC, one of Ramsdell’s wholly owned entities, to Susan Martin, and Schroeder’s involvement in that transfer. (See ECF #43 at 3). Virage asserts that Schroeder became Danwin’s registered agent several months before this transfer, and this connection with Schroeder needs to be disclosed in greater detail. The same is true with respect to Schroeder’s representation of APITLA and Logbook. Schroeder represented those affiliates in the Hershewe Creditors’ lawsuit in Greene County Circuit Court from April 4, 2019, and Schroeder is still to this day counsel of record in the Greene County Lawsuit for APITLA and Logbook. Schroeder must disclose all the details of his representation of those affiliates as well as any transfers of property involving Winnie Ramsdell may have been made within the two years prior to the filing.

In addition, Winnie Ramsdell is a significant creditor of the Daniel Ramsdell, in that she is entitled by Court order to monthly maintenance of \$7,000, per the Green County Circuit Court order of 2/17/2015 in Case number 1431-DR01844, attached hereto as Exhibit C. The “Danwin” of Danwin Properties is obviously a contraction of the first names of Daniel Ramsdell and Winnie

Ramsdell, suggesting that at one time properties in which Danwin had an interest were co-owned by Winnie and Daniel Ramsdell. While Schroeder was not counsel of record for Winnie in the divorce proceeding, his representation of Danwin may have given him knowledge of Winnie's holdings, or transfers of property to Winnie prior to the filing of the bankruptcy.

Schroeder's disclosures are clearly insufficient. Schroeder must fully disclose his relationships, representation agreements, and all payments received from Debtors, their affiliates, Winnie Ramsdell, and his involvement in any transactions with any or all of them from any time period; and must disclose any other clients that are related to either Debtor, his involvement in the July 21, 2020 transfer of the Debtor's residence; and his knowledge of and involvement in the payment of any maintenance to Winnie Ramsdell.

For these reasons, and those set forth in the Virage objection, substantially greater disclosure is required concerning Schroeder's representation of Debtors, their affiliates and any involvement in deals with Winnie Ramsdell before employment can be approved. At this time, the Motions should be denied.

Dated: 1/30/2023

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